

*Received  
3/28/03*  
Attorney's Docket No. 3477-89PATENT

## IN THE UNITED STATES DESIGNATED OFFICE (DO/US)

In re: Egan et al.  
Serial No.: 09/674,237  
Filed: July 24, 2001  
For: *ESE GENES AND PROTEINS*

Group: 1646  
Examiner: M-T Davis

Date: March 28, 2003

Commissioner for Patents  
Washington, DC 20231

**Preliminary Amendment**

Responsive to the Office Action dated January 29, 2003, it is respectfully requested that the following claim amendments be entered prior to further examination of this application.

Applicants provide this Preliminary Amendment pursuant to the Revised Amended Format instituted for the prototype Electronic File Wrapper Program described in 1265 Off. Gaz. Pat. Office 87 (Dec. 17, 2002) and that has been expanded to include all Technology Centers and amendments to the specification and drawings. Thus, the provisions of 37 C.F.R § 1.121 (a), (b), (c) and (d) are waived for the present Preliminary Amendment.

In the Claims.

*B*  
Please amend the claim set as follows:

1. (Original) An isolated nucleic acid comprising a nucleotide sequence encoding a mammalian Ese1 protein or a splice variant thereof.
2. (Original) The nucleic acid of claim 1, wherein said nucleotide sequence encodes a murine Ese1 protein or a splice variant thereof.
3. (Original) The nucleic acid of claim 1, wherein said nucleotide sequence encodes a human Ese1 protein or a splice variant thereof.